



JAN 12 2004

TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
8449-86523

In Re Application Of: OSCAR JIMENEZ

RECEIVED
JAN 16 2004Serial No.
10/046,452Filing Date
January 14, 2002Examiner
SANDRA M. NOLANTC 1700
Group Art Unit
1772

Title: ANGIOPLASTY SUPER BALLOON FABRICATION WITH COMPOSITE MATERIALS

TO THE DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE:

Transmitted herewith is: **SUPPLEMENTAL DECLARATION (ORIGINAL SIGNED DECLARATION OF OSCAR JIMENEZ) UNDER RULE 131** Including Exhibits 1-9 mentioned therein to attach to our previously sent Amendment A Under Rule 131 mailed on December 24, 2003

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-0920 as described below.
- ☐ Charge the amount of _____
- ☐ Credit any overpayment..
- ☒ Charge any additional fee required.

Signature

Dated: January 8, 2004

THOMAS R. VIGIL
Reg. No. 24,542
WELSH & KATZ, LTD.
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I certify that this document and fee is being deposited on January 8, 2004 1/8/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Director of the United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

THOMAS R. VIGIL

Typed or Printed Name of Person Mailing Correspondence

cc:



SERIAL NO. 10/046,452
EXAMINER: SANDRA M. NOLAN
GROUP ART UNIT 1772

IN THE UNITED STATES PATENT OFFICE

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JAN 16 2004
TC 1700

Applicant: Oscar Jimenez)
Entitled: ANGIOPLASTY SUPER) Examiner: Sandra M. Nolan
BALLOON FABRICATION)
WITH COMPOSITE) Group Art Unit 1772
MATERIALS)
Serial No.: 10/046,452)
Filed: January 14, 2002) Docket No. 8449-86523

Hon. Commissioner of Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Pursuant to our response (mailed on December 24, 2003) to the Office Action mailed on June 24, 2003, enclosed is the *executed* Declaration of Oscar Jimenez Under Rule 131, with attached Exhibits 1-9, which failed to accompany our aforementioned response.

Upon entry and acceptance of the attached Declaration Under Rule 131, Applicant requests that this will suffice to place the application in condition for allowance.

A favorable action to that end is requested.

Respectfully submitted,

WELSH & KATZ, LTD.

Dated: 1/8/04

By Thomas R. Vigil
Thomas R. Vigil
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PATENT APPLICATION
Serial No. 10/046,452
Attorney Docket No. 8449-86523

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TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Oscar Jimenez

Serial No.: 10/046,452

Filed: January 14, 2002

**Title: Angioplasty Super Balloon
Fabrication With Composite Materials**

Group Art Unit: 1772

Examiner: Sandra M. Nolan

DECLARATION OF OSCAR JIMENEZ UNDER RULE 131

TO: Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Oscar Jimenez, residing at 8000 Los Pinos Boulevard, Coral Gables,
Florida 33143 declare as follows:

1. I am the inventor in the above-identified patent application.
2. During the spring of 2001, I conceived the idea of making a reinforced balloon which I called a super balloon and which was made of a nano-composite reinforced polymer including a polymer and one of carbon nano-tubes, a nano-clay or nano-ceramic fibers formed into a balloon for medical applications, i.e., angioplasty, and having an increased tensile strength over balloons already in the marketplace.
3. I then proceeded to make such a super balloon and ordered nanocomposite pellets from Foster Corporation for use in fabricating

the balloon. Attached and marked Exhibit 1 is a copy of a Purchase Order to Foster Corporation dated May 22, 2001, for the purchase of nanocomposite pellets. Also attached, as Exhibits 2 and 3, are copies of photographs of some of the pellets left over from that purchase.

4. In June 2001, I fabricated a balloon and attached are Exhibits 4-6 which are photographs of the balloon I manufactured in June of 2001.
5. I then prepared an Invention Disclosure that I proceeded to send to my patent attorney, Mr. Thomas Vigil. Attached as Exhibit 7 is the first page of a second draft of the Invention Disclosure having a date of July 15, 2001 and as Exhibit 8 is a copy of the first page of a final draft of the Invention disclosure dated July 18, 2003.
6. Further I faxed my attorney on July 24, 2001 requesting that we add nano-scale ceramic fibers to my Invention Disclosure. Enclosed as Exhibit 9 is a copy of my Fax dated July 24, 2001
7. The foregoing statements and attached documents show that I had conceived and reduced to practice before July 1, 2001 my super balloon comprising a nano-composite reinforced polymer including a polymer and one of carbon nano-tubes, a nano clay or nano-ceramic fibers for medical applications and having a high strength for resisting bursting during over inflation.

Further, I declare under the penalties of perjury under the laws of the United States of America that the above statements are true and correct and that those made on information and belief are believed to be correct and any false statements so made herein will affect the validity of the subject patent application or the patent issuing thereon.

December 24, 2003
Date



Oscar Jimenez